

APR 09 2002

PATENT & TRADEMARK OFFICE
JSC98

A3

MPC

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Complete if Known	
Application Number	10/050,593
Filing Date	January 16, 2002
First Named Inventor	Charles A. KING et al.
Examiner Name	To be assigned
Group Art Unit	1638
Total Number of Pages in This Submission:	6
Attorney Docket Number	N1375-002

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

REMARKS:

SUBMITTED BY		Complete (if applicable)		
NAME & REG. NUMBER	Nancy T. Morris, #42,017			
SIGNATURE	Nancy T. Morris	DATE	April 2, 2002	DEPOSIT ACCOUNT USER ID



**FEE TRANSMITTAL
for FY 2001
(Small Entity)**

		Complete if Known	
		Application Number	10/050,593
		Filing Date	January 16, 2002
		First Named Inventor	Charles A. KING et al.
		Examiner Name	To Be Assigned
		Group Art Unit	1638
Total Amount of Payment	(\$615.00)	Attorney Docket Number	N1375-002

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.

2. Payment Enclosed:
 - Check
 - Credit Card

FEE CALCULATION

1. FILING FEE

Fee	Fee	Fee Description	Fee Paid
Code	\$		
201	370	Utility filing fee	[370]
206	165	Design Filing Fee	[]
207	255	Plant Filing Fee	[]
208	370	Reissue Filing Fee	[]
214	80	Provisional Filing Fee	[]

SUBTOTAL \$370

2. CLAIMS

Total Claims	[40]	- 20** = [20]	x	Extra Claims	Fee	Fee Paid
Independent Claims	[]	- 3** = []	x		\$ 9 =	[180]
Multiple Dependent Claims	[]	+ []			42 = []	
					140 = []	

**or number previously paid, if greater;

SUBTOTAL \$180

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[65]
227	25	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
215	55	Extension for reply within first month	[]
216	200	Extension for reply within second month	[]
217	460	Extension for reply within third month	[]
218	720	Extension for reply within fourth month	[]
228	980	Extension for reply within fifth month	[]
219	160	Notice of Appeal	[]
220	160	Filing a brief in support of an appeal	[]
221	150	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
240	55	Petition to revive -unavoidable	[]
241	640	Petition to revive - unintentional	[]
242	640	Utility issue fee (or reissue)	[]
243	230	Design issue fee	[]
244	310	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
246	370	Filing a submission after final rejection (37 CFR .129(a))	[]
249	370	For each additional invention to be examined (37 CFR 1.129(b))	[]
279	370	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing an application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL

\$65

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Nancy T. Morris, Reg. No. 42,017			
SIGNATURE	<i>Nancy T. Morris</i>	DATE	April 2, 2002	DEPOSIT ACCOUNT USER ID



N1375-002
NTM/sav

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Charles A. KING et al.) Box Missing Parts
Serial No. 10/050,593)
Filed: January 16, 2002)
For: HERBICIDE RESISTANT)
DINITROGEN FIXING)
BACTERIA AND)
METHOD OF USE)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated February 25, 2002, response copy attached, a Declaration and Power of Attorney identifying the above-referenced application by Serial Number and Filing Date is being herewith submitted. Also attached is a check in payment of the following fees:

\$ 65.00 (surcharge under 37 C.F.R. 1.16(e))
370.00 (basic filing fee)
180.00 (additional claims fee)

\$ 615.00 TOTAL

Please charge any additional fees or credit any overpayment for the payment of
the filing fee, any extra claims fees or the surcharge to deposit account number
02-2135.

Respectfully submitted,

By Nancy T. Morris
Nancy T. Morris, #42,017
Attorney for Applicants
ROTHWELL, FIGG, ERNST & MANBECK
1425 K Street, N.W., Suite 800
Washington, D.C. 20005
Telephone: (402) 333-1550



APR 09 2002
PATENT & TRADEMARK OFFICE
968

A3

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,593	01/16/2002	Charles A. King	N1375-002

CONFIRMATION NO. 4652

6449
 ROTHWELL, FIGG, ERNST & MANBECK, P.C.
 555 13TH STREET, N.W.
 SUITE 701, EAST TOWER
 WASHINGTON, DC 20004

FORMALITIES LETTER



OC000000007526598

Date Mailed: 02/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$180.
 - \$180 for 20 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 615.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/10/2002 SDENB0B1 00000124 10050593

01 FC:201	370.00 OP
02 FC:203	180.00 OP
03 FC:205	65.00 OP